

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JANICE PEARL CRAIG-GERSHAM,

Plaintiff,

CIVIL CASE NO. 04-40285

v.

CITIFINANCIAL CREDIT CO., CITIGROUP,
INC., and TROTT & TROTT, P.C.,

HONORABLE PAUL V. GADOLA
U.S. DISTRICT COURT

Defendant.

**ORDER DENYING PLAINTIFF'S EMERGENCY MOTION/REQUEST FOR
RECONSIDERATION AND TO PROCEED IN FORMA PAUPERIS AND FOR
APPOINTMENT OF COUNSEL ON APPEAL**

Before the Court is Plaintiff's emergency motion for reconsideration, to proceed in forma pauperis on appeal, and for appointment of counsel on appeal [docket entry 50], filed on May 11, 2006. Plaintiff's motion of April 25, 2006, denied by this Court on May 2, 2006, also sought to proceed in forma pauperis and for appointment of counsel. Plaintiff's new motion suffers the same defects as her previous motion; Plaintiff has again failed to comply with the requirements of Federal Rule of Appellate Procedure 24 and has failed to demonstrate that the appointment of counsel in this civil case is justified by exceptional circumstances. *Lavado v. Keohane*, 992 F.2d 601, 605-06 (6th Cir. 1993). Consequently, this Court again denies her request to proceed in forma pauperis and her request for appointment of counsel.

With respect to Plaintiff's motion for reconsideration, the Court may only grant

reconsideration in limited circumstances. To succeed on a motion for reconsideration, “[t]he movant must not only demonstrate a palpable defect by which the court and the parties have been misled but also show that correcting the defect will result in a different disposition of the case.” E.D. Mich. Local R. 7.1(g) (3). A “palpable defect” is “a defect that is obvious, clear, unmistakable, manifest, or plain.” *United States v. Cican*, 156 F. Supp. 2d 661, 668 (E.D. Mich. 2001) (Gadola, J.). Furthermore, the Court “will not grant motions for rehearing or reconsideration that merely present the same issues ruled upon by the court, either expressly or by reasonable implication.” E.D. Mich. Local R. 7.1(g) (3). Because Plaintiff makes no showing of any of the requirements necessary to merit reconsideration, the Court denies Plaintiff’s motion for reconsideration.

IT IS HEREBY ORDERED that Plaintiff’s request to proceed in forma pauperis on appeal is **DENIED**.

IT IS FURTHER ORDERED that Plaintiff’s request for appointment of counsel on appeal is **DENIED**.

IT IS FURTHER ORDERED that Plaintiff’s request for reconsideration is **DENIED**.

SO ORDERED.

Dated: June 26, 2006

s/Paul V. Gadola
HONORABLE PAUL V. GADOLA
UNITED STATES DISTRICT JUDGE

Certificate of Service

I hereby certify that on June 27, 2006, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send notification of such filing to the following:

Charles L. Hahn; Richard J. Klamka; Katheryn J. Miller, and I hereby certify that I have mailed by United States Postal Service the paper to the following non-ECF participants: Janice Pearl Craig-Gersham.

s/Ruth A. Brissaud
Ruth A. Brissaud, Case Manager
(810) 341-7845